

AMENDED IN ASSEMBLY MARCH 27, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2056

Introduced by Assembly Member Chesbro

February 23, 2012

An act to amend Section 116380 of, *and to add Section 116380.1 to*, the Health and Safety Code, relating to drinking water.

LEGISLATIVE COUNSEL'S DIGEST

AB 2056, as amended, Chesbro. Drinking water: point-of-entry and point-of-use treatments.

Existing law, the California Safe Drinking Water Act, provides for the operation of public water systems, and requires the State Department of Public Health to adopt regulations for these purposes, as prescribed. Existing law requires the department to adopt regulations allowing public water systems to use point-of-entry and point-of-use treatment instead of centralized treatment in specified situations, including if the use of centralized treatment is not economically feasible and if the water system has submitted a preapplication with the department for funding to correct violations for which the point-of-entry and point-of-use treatment is provided.

~~This bill would not require a water system to demonstrate that centralized treatment is economically infeasible and would not require the water system to submit a preapplication with the department for funding before the water system may use a point-of-entry and point-of-use treatment.~~

Existing law requires the department to adopt emergency regulations governing the permitted use of point-of-entry and point-of-use treatment by public water systems in lieu of centralized treatment, as specified,

and would require these emergency regulations to remain in effect until the earlier of January 1, 2014, or the effective date of the required nonemergency regulations.

This bill would require the emergency regulations to remain in effect until the earlier of January 1, 2019, or the effective date of the required nonemergency regulations.

This bill would specifically authorize water systems with less than 20 connections to use point-of-entry and point-of-use treatment by public water systems in lieu of centralized treatment.

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 116380 of the Health and Safety Code is
2 amended to read:

3 116380. (a) In addition to the requirements set forth in Section
4 116375, the regulations adopted by the department pursuant to
5 Section 116375 shall include requirements governing the use of
6 point-of-entry and point-of-use treatment by public water systems
7 in lieu of centralized treatment where it can be demonstrated that
8 centralized treatment is not immediately economically feasible,
9 limited to the following:

10 (1) Water systems with less than 200 service connections.

11 (2) Usage allowed under the federal Safe Drinking Water Act
12 and its implementing regulations and guidance.

13 (3) Water systems that have submitted preapplications with the
14 State Department of Public Health for funding to correct the
15 violations for which the point-of-entry and point-of-use treatment
16 is provided.

17 (b) The department shall adopt emergency regulations governing
18 the permitted use of point-of-entry and point-of-use treatment by
19 public water systems in lieu of centralized treatment.

20 (1) The emergency regulations shall comply with Section
21 116552, and shall comply with all of the requirements set forth in
22 subdivision (a) applicable to nonemergency regulations, but shall
23 not be subject to the rulemaking provisions of the Administrative
24 Procedure Act (Chapter 3.5 (commencing with Section 11340) of
25 Part 1 of Division 3 of Title 2 of the Government Code). The
26 emergency regulations shall take effect when filed with the

Secretary of State, and shall be published in the California Code of Regulations.

(2) The emergency regulations adopted pursuant to this subdivision shall remain in effect until the earlier of January 1, 2014, or the effective date of regulations adopted pursuant to subdivision (a).

(c) *This section shall not apply to a water system described in Section 116380.1.*

SEC. 2. *Section 116380.1 is added to the Health and Safety Code, to read:*

116380.1. Notwithstanding any other law, water systems with less than 20 connections may use point-of-entry and point-of-use treatment by public water systems in lieu of centralized treatment.

~~SECTION 1. Section 116380 of the Health and Safety Code is amended to read:~~

~~116380. (a) In addition to the requirements set forth in Section 116375, the regulations adopted by the department pursuant to Section 116375 shall include requirements governing the use of point-of-entry and point-of-use treatment by public water systems in lieu of centralized treatment, limited to the following:~~

~~(1) Water systems with less than 200 service connections.~~
~~(2) Usage allowed under the federal Safe Drinking Water Act and its implementing regulations and guidance.~~

~~(b) The department shall adopt emergency regulations governing the permitted use of point-of-entry and point-of-use treatment by public water systems in lieu of centralized treatment.~~

~~(1) The emergency regulations shall comply with Section 116552, and shall comply with all of the requirements set forth in subdivision (a) applicable to nonemergency regulations, but shall not be subject to the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). The emergency regulations shall take effect when filed with the Secretary of State, and shall be published in the California Code of Regulations.~~

~~(2) The emergency regulations adopted pursuant to this subdivision shall remain in effect until the earlier of January 1,~~

- 1 2019, or the effective date of regulations adopted pursuant to
- 2 subdivision (a):

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